

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

RICHARD A. MOTT

Plaintiff,

Case No. 2:19-cv-5502

JUDGE EDMUND A. SARGUS, JR.

v.

DEPARTMENT OF THE TREASURY,  
INTERNAL REVENUE SERVICE,

Defendant.

OPINION AND ORDER

The matter before the Court is Defendant United States of America's, named and sued as the Department of Treasury, Internal Revenue Service, Motion to Withdraw its Motion to Withdraw the Reference of Adversary Proceeding ECF No. 2 and Terminate Proceedings (ECF No. 5). The United States asserts the Motion to Withdraw was filed to consolidate the proceeding with a civil matter ("Case 4280") pending in the district court involving identical tax assessments made against J. Doug Mott, an individual who is not in bankruptcy. *United States v. Jan Douglass Mott*, Case No. 2:19-cv-4280 (S.D. Ohio filed Sept. 25, 2019). The parties in Case 4280 stipulated to judgment which was entered by the district court on January 27, 2020. *Id.* Accordingly, the United States now request it be permitted to withdraw its motion.

The Motion to Withdraw its Motion to Withdraw the Reference of Adversary Proceeding ECF No. 2 and Terminate Proceedings (ECF No. 5) is GRANTED. Accordingly, the Motion (ECF No. 2) is DENIED as MOOT. The Clerk is DIRECTED to close this case.

IT IS SO ORDERED.

DATE

1-28-2020

  
EDMUND A. SARGUS, JR.  
UNITED STATES DISTRICT JUDGE